

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LANCE THOMPSON and DARA SINGH,

Plaintiffs,

v.

SAFETY-KLEEN SYSTEMS, INC., *et al.*,

Defendants.

No. C06-1270RSL

ORDER DENYING PLAINTIFF'S  
MOTION FOR PROTECTIVE ORDER

This matter comes before the Court on “Plaintiffs’ [sic] Motion for Protective Order” (Dkt. #56). In his motion, plaintiff Singh requests “a protective order to postpone his deposition.” *Id.* at 1. As plaintiff acknowledges in his reply, “the timing of Mr. Singh’s deposition is moot[.]” *See* Reply (Dkt. #76) at 1. The requested relief in plaintiff’s motion is also now moot given the Court’s order granting plaintiff’s motion for voluntary dismissal.<sup>1</sup> *See*

<sup>1</sup> In their response, defendants assert that even if plaintiff Singh is dismissed from this action, the Court should order plaintiff Singh to appear for a deposition because his “deposition testimony remains relevant to Defendants’ defense against Plaintiff Thompson’s claims.” *See* Response (Dkt. #67) at 2. On July 7, 2007, plaintiff failed to appear for his deposition. Given this conduct, defendants filed a motion for sanctions against plaintiff Singh, which the Court granted in part. *See* Dkt. #44 (Motion for Sanctions); Dkt. #89 (Order Granting In Part and Denying In Part Defendants’ Motion for Sanctions Against Plaintiff Singh). As part of their motion for sanctions, however, defendants did not move to compel plaintiff Singh’s deposition. Instead, they moved for the sanction of dismissal without prejudice and for attorneys’ fees. *See* Dkt. #44. Defendants did not file a reply in support of their motion for sanctions. Similarly here, defendants have not moved to compel plaintiff Singh’s deposition, and the

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1 Dkt. #90 (Order Granting Plaintiff Singh's Motion for Voluntary Nonsuit). Accordingly,  
2 "Plaintiff[s] Motion for Protective Order" (Dkt. #56) is DENIED as MOOT.

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4 DATED this 28th day of August, 2007.

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7 Robert S. Lasnik  
8 United States District Judge  
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25 Court declines to *sua sponte* compel plaintiff's deposition when defendants have not affirmatively moved  
26 for this relief.